

WALLES
Serial No. 09/902,804

Atty Dkt: 2380-380
Art Unit: 2664

REMARKS/ARGUMENTS

Reexamination of the captioned application is respectfully requested.

A. SUMMARY OF THIS AMENDMENT

By the current amendment, Applicant basically:

1. Editorially amends the specification.
2. Corrects obvious errors in claim dependencies for dependent claims 11 – 14 and 18 – 19.
3. Respectfully traverses all prior art rejections.
4. Provides corrected drawings.

B. THE DRAWING CORRECTIONS

In response to various points raised in the second enumerated paragraph of the Office Action, Applicant now attaches (at the end of this document) corrected Figs. 4, 5A, 5B, and 7.

In Fig. 4, a second instance of reference numeral T6 has been changed to T7. The direction of the arrow heads for arrows T14a, 14b, ... T17a, T17b have been reversed. Arrow T17 has been labeled.

In Fig. 5A and Fig. 5B, the subscripts for T_{PE}, T_{PB}, T_{QB}, and T_{QA} have been corrected.

In Fig. 7, box 30₂ has been labeled as "Speech Coding and Decoding" as supported, e.g., in the sentence bridging pages 17 and 18 of the original disclosure.

Concerning various connection lines in Fig. 5A and Fig. 5B, Applicant has amended the specification description of Fig. 5A since such is easy to do merely as an

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accommodation. Applicant submits that it is not necessary for the drawings to explicitly identify with reference numerals all connector lines, particularly when the nature of those connector lines generally are not necessarily relevant to the subject matter at hand. As such, Applicant declines to amend the specification or drawings with further reference numerals for sake of keeping the disclosure succinct and not prolix.

C. PATENTABILITY OF THE CLAIMS

Claims 11, 12, 13, 14, 18 and 19 under 35 USC §112 because there is insufficient antecedent basis for this limitation in the claim. Claims 1-19 stand rejected under 35 USC §102(e) as being anticipated by U.S. Patent 6,700,893 to Radha et al. All prior art rejections are respectfully traversed for at least the following reasons.

U.S. Patent 6,700,893 to Radha et al does not teach, e.g., a processing chain comprising plural processing units through which a packet of a media stream is routed. Radha discloses a delay budget controller which the Examiner notes (col. 3, lines 17 – 21) as monitoring a decoder buffer (e.g., ITD buffer 132) which has stored therein a "sequence of access units".

But Radha's "access units" are *NOT* the claimed processing units. Rather, as Radha clearly explains, "an access unit may be an audio frame, a video frame, or even a portion of a video frame..." (col. 8, lines 2 – 3). As well known in the art and understood from Applicant's specification, Processing units are separate hardware units which have programmed or embedded logic for executing instructions or performing tasks.

And since Radha's "access units" are not the claimed processing units, the access units do not (each) generate an intra-node performance monitoring packet which includes

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an indication of time spent by the packet of the media stream in the respective processing unit, nor do they send any such intra-node performance monitoring packet to delay buffer controller 138 or anything else. Rather, Radha's delay buffer controller 138 only "monitors" the level of data occupancy in ITD buffer 132. There is no mention of packet generation or transmission for such purpose. Moreover, Radha's monitoring is totally different in its purpose and approaching, being essentially for the purpose of detecting missing data packets and potential underflow conditions for the purpose of requesting re-transmission as necessary (*see, e.g., col. 5, lines 65+*).

In view of the foregoing and other considerations, Applicant respectfully submits that U.S. Patent 6,700,893 to Radha et al neither anticipates nor renders unpatentable the claimed subject matter.

C. MISCELLANEOUS

All claims are deemed in condition for allowance. A formal indication of allowability is earnestly solicited.

The Commissioner is authorized to charge the undersigned's deposit account #14-1140 in whatever amount is necessary for entry of these papers and the continued pendency of the captioned application.

Should the Examiner feel that an interview with the undersigned would facilitate allowance of this application, the Examiner is encouraged to contact the undersigned.

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Respectfully submitted,

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